

United States Courts
Southern District of Texas
FILED
JAN 21 2020
David J. Bradley, Clerk of Court

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

UNITED STATES OF AMERICA
Plaintiff,

v.

BABAJIDE TOLULOPE BABATUNDE
Defendant.

Case# H-18-176

Issue: Withdrawal of Appeal

DEFENDANT WITHDRAWAL OF APPEAL IN FURTHERANCE
OF HIS 18 U.S.C. §2255 MOTION TO VACATE, SET
ASIDE OR CORRECT THE SENTENCE IMPOSED ON HIM

COME NOW BABAJIDE TOLULOPE BABATUNDE (Defendant) pro se transmit a copy of his motion of withdrawal of his appeal in furtherance of his 18 U.S.C. §2255 motion to vacate, set aside or vacate his sentence.

Defendant haven filed a motion to reconsider government opposition to his 2255 motion with the court by and through plaintiff (United States of America) attorney on the ground that the 2255 motion conflicted with his appeal. Defendant indicated on his motion to reconsider to court his willingness to forgo his appeal for a continuity of his 2255 motion. He is now forwarding a copy of his motion to withdraw his appeal to that extend See attached exhibit 1 and Exhibit 2, (DKT No. 91)(Motion to Dismiss appeal) as well as Exhibit 3 (DKT No. 93)(USCA order).

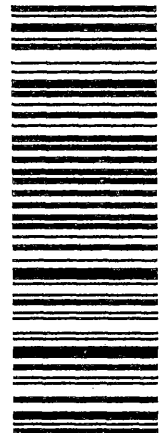
Wherefore, for the reasons presented along with the exhibit provided as proof of his quest to assist the court to unravel the issue of conflict of appeal versus 2255 motion. Defendant now come as he becom with humility and pray that this court grant his request, continue with his 2255 motion and order the plaintiff (United States of America) to respond to his 2255 motion and rule on its merit for the interest of justice.

Respectfully submitted

Babajide Tolulope Babatunde (Defendant) Pro se

20200121
20200121
P.C.D.C. III
PO BOX 2038
Houston, TX 77072

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OF THE RETURN ADDRESS, FOLD AT DOTTED LINE
CERTIFIED MAIL®

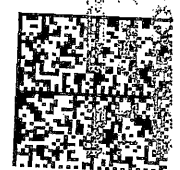
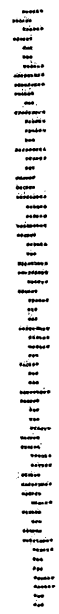


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DISTRICT COURT OF THE UNITED STATES
SOUTHERN DISTRICT OF TEXAS
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